

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 19877

PERMIT 13461

LICENSE 8199

ORDER ALLOWING CHANGE IN POINT OF DIVERSION

WHEREAS:

1. A petition for addition of the point of diversion at Hare Reservoir No. 2 to allow repairs to be made to Hare Reservoir No. 1 dam, has been filed with the State Water Resources Control Board.
2. License 8199 was issued to Big Basin Water Company and was filed with the County Recorder of Santa Cruz County on June 6, 1967, in Book 1821, Page 717 of the official records.
3. The Board has determined that this petitioned change will not operate to the injury of any other legal user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

Permission is hereby granted to allow a change in the point of diversion under License 8199 as follows:

1. Addition of Hare Reservoir No. 2 as a point of diversion with the two points of diversion being described as follows:

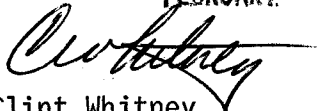
(HARE RESERVOIR NO. 1) - SOUTH 17°09'55" EAST 1,703.68 FEET FROM NW CORNER OF SECTION 14, T9S, R3W, MDB&M, BEING WITHIN SE¼ OF NW¼ OF SAID SECTION 14.

(HARE RESERVOIR NO. 2) - SOUTH 1,550 FEET FROM NE CORNER OF SECTION 15, T9S, R3W, MDB&M, BEING WITHIN THE NE¼ OF NE¼ OF SAID SECTION 15.

2. On and after August 1, 1979, Hare Reservoir No. 2 point of diversion will be deleted from License 8199 and diversion under said license will revert to only the point of diversion described as follows:

(HARE RESERVOIR NO. 1) - SOUTH 17°09'55" EAST 1,703.68 FEET FROM NW CORNER OF SECTION 14, T9S, R3W, MDB&M, BEING WITHIN SW¼ OF NW¼ OF SAID SECTION 14.

Dated: FEBRUARY 9 1979


Clint Whitney
Deputy Executive Director

3. The following term is added as follows:

The quantity of water diverted under this license is subject to modification by the State Water Resources Control Board if, after notice to the licensee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

4. The following term is added as follows:

Pursuant to California Water Code Section 100, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to minimizing waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (3) suppressing evaporation losses from water surfaces; (4) controlling phreatophytic growth; and (5) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

Dated: APRIL 22 1981

Walter G. Pettit
Walter G. Pettit, Chief
Division of Water Rights

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STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 19877

PERMIT 13461

LICENSE 8199

ORDER ALLOWING CHANGE IN PURPOSE OF USE, PLACE OF USE,
AND ADDING NEW TERMS TO LICENSE

WHEREAS:

1. License 8199 was issued to Big Basin Water Company and was recorded with the County Recorder of Santa Cruz County on June 6, 1967 in Book 1821, Page 717.
2. An order allowing change in point of diversion was granted on February 9, 1979 and has been recorded with the County Recorder of Santa Cruz County on February 22, 1979 in Book 3024, Page 664.
3. A petition for change in purpose of use, and place of use has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
4. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
5. The Board by Decision 1482, dated June 15, 1978, ordered that the petition to change License 8199 is granted.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The purposes of use under this license shall be as follows:
Domestic and irrigation use.
2. The place of use under this license shall be as follows:

Irrigation

65.5 acres within Section 14, T9S, R3W, MDB&M, as shown on map filed with the State Water Resources Control Board.

Domestic

The service area of the Big Basin Water Company, being within Sections 2, 11, 12, 14, 15, 23, and 24, T9S, R3W, MDB&M, as shown on map filed with the State Water Resources Control Board.

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STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 19877

PERMIT 13461

LICENSE 8199

THIS IS TO CERTIFY, That

BIG BASIN WATER COMPANY
140 INGALLS STREET, SANTA CRUZ, CALIFORNIA 95060

HAS made proof as of JULY 7, 1966,
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
HARE CREEK IN SANTA CRUZ COUNTY

tributary to BOULDER CREEK THENCE SAN LORENZO RIVER

for the purpose of IRRIGATION USE
under Permit 13461 of the Board and that the right to the use of this water has been perfected in
accordance with the laws of California, the Regulations of the Board and the permit terms; that the priority of
this right dates from DECEMBER 14, 1960, and that the amount of water to which this right is
entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall
not exceed FORTY-FIVE (45) ACRE-Feet PER ANNUM TO BE COLLECTED FROM ABOUT OCTOBER 1
OF EACH YEAR TO ABOUT MAY 1 OF THE SUCCEEDING YEAR AND A MAXIMUM WITHDRAWAL OF
45 ACRE-Feet IN ANY ONE YEAR UNDER THIS RIGHT.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

SOUTH 17° 9' 55" EAST 1,703.68 FEET FROM NW CORNER OF SECTION 14, T9S, R3W,
MDB&M, BEING WITHIN SW1/4 OF NW1/4 OF SAID SECTION 14.

A DESCRIPTION OF LANDS OR THE PLACE WHERE
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

65.5 ACRES WITHIN SECTION 14, T9S, R3W, MDB&M, AS SHOWN ON MAP FILED WITH
STATE WATER RIGHTS BOARD.

LICENSEE SHALL MAINTAIN AN OUTLET PIPE OF ADEQUATE CAPACITY IN HIS DAM AS
NEAR AS PRACTICABLE TO THE BOTTOM OF THE NATURAL STREAM CHANNEL, OR PROVIDE
OTHER MEANS SATISFACTORY TO THE STATE WATER RIGHTS BOARD, IN ORDER THAT WATER
ENTERING THE RESERVOIR OR COLLECTED IN THE RESERVOIR DURING AND AFTER THE
CURRENT STORAGE SEASON MAY BE RELEASED INTO THE DOWNSTREAM CHANNEL TO THE
EXTENT NECESSARY TO SATISFY THE DOWNSTREAM PRIOR RIGHTS AND/OR TO THE EXTENT
THAT APPROPRIATION OF SAID WATER IS NOT AUTHORIZED UNDER THIS RIGHT.

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Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: JUN 5 1967

L. K. Hill
Executive Officer

9-15-82 Asgd to Boulder Creek Golf & Country Club, Inc